

The material previously referred to by Mr. DREIER is as follows:

AMENDMENT TO H. RES. 517 OFFERED BY MR. TERRY OF NEBRASKA

Strike all after the resolved clause and insert the following:

*Resolved*, that at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2829) making appropriations for financial services and general government for the fiscal year ending September 30, 2008, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in section 3 of this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 2829 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

SEC. 3. The amendment referred to in section 1 is as follows:

At the end of the bill (before the short title), insert the following:

“Notwithstanding any other provision of this Act and notwithstanding section 601(a)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31), the percentage adjustment scheduled to take effect under such section for 2008 shall not take effect.”

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the

opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

Because the vote today may look bad for the Democratic majority they will say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's “American Congressional Dictionary”: “If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.”

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. MATSUI. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on the amendment and the resolution will be followed by 5-minute votes on the amendment to H. Res. 517, if ordered; adoption of H. Res. 517, if ordered; and the motion to suspend the rules on H.R. 1830.

The vote was taken by electronic device, and there were—yeas 244, nays 181, not voting 8, as follows:

[Roll No. 580]

YEAS—244

Abercrombie	Garrett (NJ)	Oberstar
Ackerman	Gillmor	Obey
Akin	Gohmert	Oliver
Alexander	Gonzalez	Pallone
Andrews	Goodlatte	Pascarell
Baca	Granger	Pastor
Bachus	Green, Al	Payne
Baird	Green, Gene	Pelosi
Baldwin	Grijalva	Pence
Barton (TX)	Gutierrez	Peterson (MN)
Becerra	Hastert	Pickering
Berman	Hastings (FL)	Price (GA)
Biggert	Hastings (WA)	Putnam
Blibray	Herger	Rahall
Bishop (GA)	Higgins	Rangel
Blackburn	Hinchee	Regula
Blumenauer	Hinojosa	Reyes
Blunt	Hirono	Rogers (AL)
Boehner	Hobson	Rogers (KY)
Bonner	Holt	Rohrabacher
Bono	Honda	Ros-Lehtinen
Boucher	Hoyer	Rothman
Boustany	Israel	Roybal-Allard
Boyd (FL)	Issa	Ruppersberger
Brady (PA)	Jackson (IL)	Rush
Brady (TX)	Jackson-Lee	Ryan (OH)
Brown (SC)	(TX)	Sánchez, Linda T.
Brown, Corrine	Jefferson	Sanchez, Loretta
Burgess	Johnson (GA)	Sarbanes
Burton (IN)	Johnson, E. B.	Saxton
Butterfield	Johnson, Sam	Schakowsky
Buyer	Jones (OH)	Schiff
Calvert	Kanjorski	Scott (VA)
Camp (MI)	Kaptur	Serrano
Campbell (CA)	Kennedy	Shadegg
Cannon	Kilpatrick	Shays
Cantor	Kind	Sherman
Capps	King (IA)	Shimkus
Capuano	King (NY)	Simpson
Carter	Kingston	Sires
Castor	Kline (MN)	Skelton
Clarke	Knollenberg	Slaughter
Clay	Lantos	Smith (NE)
Cleaver	Larsen (WA)	Smith (NJ)
Clyburn	Larson (CT)	Smith (TX)
Conaway	Lee	Smith (WA)
Conyers	Levin	Solis
Cooper	Lewis (CA)	Stark
Costa	Lewis (GA)	Stupak
Costello	Lewis (KY)	Sullivan
Cramer	Lipinski	Tancred
Crenshaw	Lowe	Tanner
Crowley	Lucas	Tauscher
Cubin	Lungren, Daniel E.	Thompson (CA)
Culberson	Lynch	Thompson (MS)
Cummings	Mack	Thornberry
Davis (AL)	Maloney (NY)	Tiahrt
Davis (IL)	Marchant	Towns
Davis, Tom	Markey	Turner
DeGette	Matsui	Upton
Delahunt	McCarthy (CA)	Van Hollen
DeLauro	McCarthy (NY)	Velázquez
Diaz-Balart, L.	McCollum (MN)	Visclosky
Diaz-Balart, M.	McDermott	Walsh (NY)
Dicks	McGovern	Wasserman
Dingell	McHugh	Schultz
Doolittle	McKeon	Waters
Doyle	McNulty	Watson
Dreier	Meehan	Watt
Ehlers	Meek (FL)	Waxman
Emanuel	Meeks (NY)	Weiner
Engel	Miller, Gary	Weldon (FL)
Eshoo	Miller, George	Westmoreland
Everett	Mollohan	Wexler
Farr	Moore (WI)	Whitfield
Fattah	Moran (VA)	Wicker
Feeney	Murtha	Wolf
Ferguson	Myrick	Woolsey
Filner	Nadler	Wynn
Fortenberry	Neal (MA)	Young (AK)
Frank (MA)	Neugebauer	Young (FL)
Frelinghuysen	Nunes	
Galleghy		

NAYS—181

Aderholt	Berry	Buchanan
Allen	Bilirakis	Capito
Altmire	Bishop (NY)	Carnahan
Arcuri	Bishop (UT)	Carney
Bachmann	Boozman	Carson
Baker	Boren	Castle
Barrett (SC)	Boswell	Chabot
Barrow	Boyd (KS)	Chandler
Bartlett (MD)	Braley (IA)	Coble
Bean	Brown-Waite,	Cohen
Berkley	Ginny	Cole (OK)